



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Sanford Housing Society
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes:

CNC, FF

Introduction

This hearing was convened in response to the Tenant's Application for Dispute Resolution, in which the Tenant applied to set aside a Notice to End Tenancy for Cause and to recover the fee for filing this Application.

Issue(s) to be Decided

Should the Notice to End Tenancy for Cause, served pursuant to section 47 of the *Residential Tenancy Act (Act)*, be set aside?

Background and Evidence

The hearing was scheduled for 9:00 a.m. on this date, by which time the Landlord had appeared. The teleconference was monitored until 9:11 a.m. but the Tenant did not appear during this time. While we were waiting for the Tenant to appear the Agent for the Landlord requested an Order of Possession if the Application for Dispute Resolution was dismissed.

Analysis

I find that the Tenant failed to diligently pursue the Application for Dispute Resolution and I therefore dismiss the application without leave to reapply. As the Agent for the Landlord requested an Order of Possession at the hearing, I find that the Landlord is entitled to an Order of Possession, pursuant to section 55(1) of the *Act*.

Conclusion

I grant the Landlord an Order of Possession that is effective on August 31, 2013. This Order may be served on the Tenant, filed with the Supreme Court of British Columbia, and enforced as an Order of that Court.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: August 27, 2013

Residential Tenancy Branch

